

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

TROUT POINT LODGE, LIMITED,	)	
A Nova Scotia Limited Company;	)	
VAUGHN PERRET and	)	
CHARLES LEARY,	)	
	)	
v.	)	CAUSE NO. 1:12cv90-LG-JMR
	)	
DOUG K. HANDSHOE	)	
	)	

**CLERK'S NOTICE OF POST-JUDGMENT EXECUTION**

You are hereby notified that your Choses in action in the Mississippi Circuit Court case styled *Trout Point Lodge, Limited, Vaughn Perret and Charles Leary v. Douglas Handshoe*, Civil Action Number 15-0458, Circuit Court of Hancock County and associated Miscellaneous Civil Action Number 12161 in the Circuit Courts of Hancock and Stone Counties Mississippi are being taken by the United States Government, which has a judgment in the Southern District of Mississippi, Southern Division against you, in the above cited action in the amount of \$48,000.00 plus post-judgment interest at the rate of .140%, from the date of judgment until paid in full.

On July 28, 2017 the defendant filed a Motion for a Writ of Execution and the Court entered an order granting this on \_\_\_\_\_, 2017 (ECF #\_\_\_). On \_\_\_\_\_ the clerk issued the Writ of Execution (ECF #\_\_\_).

In addition, you are hereby notified that there are exemptions under the law which may protect some of the property from being taken by the Government if the Plaintiffs can show that the exemptions apply. Below is a summary of the major exemptions which apply in most situations in the State of Mississippi, subject to the limits set by state law.

You may choose either the exemptions under the Bankruptcy Code or the exemptions provided under state law. If you are a resident of the State of Mississippi and have been a resident for more than 180 days prior to December 10, 2013, you may elect the Mississippi State exemptions.

Therefore, if you are a resident of Mississippi you can claim either exemptions under the Bankruptcy Code listed on the "Claim for Exemptions Form" you cannot claim both. The right to exempt property from creditor claims is established by federal law, 28 U.S.C. § 3014 and incorporates provisions of Mississippi law. If you don't understand your rights you may wish to seek advice as discussed below.

If you are Trout Point Lodge, Limited, Vaughn Perret or Charles Leary you have the right to ask the court to return your property to you if you think you do not owe the money to the defendant that he claims you do, or if you think the property the Government is taking qualifies under one of the above exemptions.

If you want a hearing, you must notify the court within 20 days after receipt of the notice. Your request must be in writing. If you wish, you may use this notice to request the hearing by checking the box below. You must either mail it or deliver it in person to the Clerk of the United States District Court at 2012 15th Street, Suite 403, Gulfport, MS 39501. You must also send a copy of your request to G. Gerald Cruthird, Counsel for the defendant at Post Office Box 1056 Picayune, MS 39466, so the defendant will know you want a hearing. The hearing will take place within 5 days after the Clerk receives your request, if you ask for it to take place that quickly, or as soon after that as possible.

At the hearing, you may explain to the judge why you believe the property the Government has taken is exempt. If you do not request a hearing within 20 days of receiving this notice, your Choses in action in the Mississippi Circuit Court case styled *Trout Point Lodge, Limited, Vaughn Perret and Charles Leary v. Douglas Handshoe*, Civil Action Number 15-0458, Circuit Court of Hancock County and associated Miscellaneous Civil Action Number 12161 in the Circuit Courts of Hancock and Stone Counties Mississippi may be sold at public auction and the payment used toward the money you owe the defendant.

If you think you live outside the Federal judicial district in which the court is located, you may request, not later than 20 days after you receive this notice, that this proceeding to take your property be transferred by the court to the Federal judicial district in which you reside. You must make your request in writing, and either mail it or deliver it in person to the clerk of the court at 2012 15th Street, Suite 403, Gulfport, MS 39501. You must also send a copy of your request to the G. Gerald Cruthird, Counsel for the defendant, at Post Office Box 1056 Picayune, MS 39466, so the defendant will know you want the proceeding to be transferred.

Be sure to keep a copy of this notice for your own records. If you have any questions about your rights or about this procedure, you should contact a lawyer, an office of public legal assistance, or the clerk of the court. The clerk is not permitted to give legal advice, but can refer you to other sources of information.

Signed this the \_\_\_\_\_ day of August, 2017.

\_\_\_\_\_  
UNITED STATES DISTRICT CLERK,  
SOUTHERN DISTRICT OF MISSISSIPPI

By: \_\_\_\_\_  
Deputy Clerk

☐ I hereby request a court hearing. Notice of the hearing should be given to me by mail at the following address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ I do not want a hearing.

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Return  
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DATE RECEIVED BY MR. ACKER: \_\_\_\_\_

TIME RECEIVED BY MR. ACKER: \_\_\_\_\_

DATE RECEIVED BY UNITED STATES MARSHAL: \_\_\_\_\_

TIME RECEIVED BY UNITED STATES MARSHAL: \_\_\_\_\_

DATE OF LEVY: \_\_\_\_\_

PROPERTY SEIZED PURSUANT TO LEVY

DATE OF SALE

FEES, COSTS AND EXPENSES

**The writ was received and executed:**

\_\_\_\_\_  
DON ACKER  
POST OFFICE BOX 662  
SHELBURNE NOVA SCOTIA B0T 1W0

\_\_\_\_\_  
DATE

\_\_\_\_\_  
UNITED STATES MARSHAL  
(BY) DEPUTY U.S. MARSHAL

\_\_\_\_\_  
DATE